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06 UNITED STATES DISTRICT COURT
07 WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

08 UNITED STATES OF AMERICA,) CASE NO. CR99-455-JCC
09 Plaintiff,)
10 v.) SUMMARY REPORT OF U.S.
11 RICHARD ALDEN WILLIAMS,) MAGISTRATE JUDGE AS TO
12 Defendant.) ALLEGED VIOLATIONS
OF SUPERVISED RELEASE
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14 An evidentiary hearing on supervised release revocation in this case was scheduled before
15 me on May 4, 2007. The United States was represented by AUSA Susan M. Roe and defendant
16 by Carol A. Koller. The proceedings were digitally recorded.

17 Defendant had been sentenced on or about October 22, 1999 by the Honorable John C.
18 Coughenour on a charge of Sexual Abuse of a Child, and sentenced to 24 months custody, 5 years
19 supervised release.

20 The conditions of supervised release included the standard conditions plus the requirements
21 that defendant be prohibited from possessing firearms, submit to mandatory drug testing,
22 participate in a substance abuse program, abstain from alcohol, submit to search, participate in a

01 mental health program, have no unsupervised contact with minors, participate and make
02 reasonable progress in a sexual offender treatment program, submit to polygraph examinations,
03 follow lifestyle or treatment recommendations by his therapist, have no access to a computer or
04 the internet, not possess pornographic material of any kind, and get approval of his probation
05 officer for any employment. (Dkt. 22.)

06 On August 15, 2001, the conditions of supervision were modified to require residence in
07 a halfway house for up to 120 days. (Dkt. 30.) Due to a difficulty in securing an acceptable
08 alternative residence, defendant was allowed to continue to reside in the halfway house for an
09 additional 120 days. (Dkt. 34, 35.) This order was extended for an additional 120 days on May
10 7, 2002. (Dkt. 36.)

11 On July 11, 2002, defendant's probation officer reported that defendant had apparently
12 accessed the internet on several occasions, in violation of the conditions of supervision. (Dkt. 37.)
13 He was denied further home visits until he demonstrated the ability to comply with the conditions
14 of supervision. Defendant's stay in the halfway house was extended for another 180 days and he
15 was required to pay a subsistence fee. (Dkt. 38.)

16 The defendant's probation officer reported that defendant had unsupervised contact with
17 his infant grandchild on March 31, 2003 in violation of the conditions of supervision. (Dkt. 41.)
18 The violation was addressed by his treatment provider.

19 The halfway house placement was extended for another 90 days on July 4, 2003 when he
20 was found to be in possession of a computer in his Bellingham residence, in violation of the
21 conditions of supervision. (Dkt. 42.) Defendant's probation officer reported on March 15, 2004
22 that defendant had again accessed the internet, in violation of the conditions of supervision. The

01 defendant was reprimanded and the conduct was addressed by defendant's sexual offender
02 counselor. (Dkt. 43.)

03 On July 27, 2004, defendant admitted to violating the conditions of supervised release by
04 having contact with a minor child on March 31, 2003, using morphine, accessing the internet,
05 using vicodin without a prescription, failing to participate in drug testing, and failing to report to
06 his probation officer. (Dkt. 46.) Additional violations were alleged on September 1, 2004 and
07 October 13, 2004 that defendant had used cocaine and possessed drug paraphernalia. (Dkt. 50,
08 55.) These violations were incorporated into the pending violations. New violations were alleged
09 on April 29, 2005, charging defendant with consuming alcohol, committing the crime of driving
10 under the influence, and failing to report contact with law enforcement. (Dkt. 56.) Defendant
11 admitted the violations. (Dkt. 62.) Supervised release was revoked on June 10, 2005 and
12 defendant was remanded to custody for six months, with 54 months of supervised release. The
13 previously imposed conditions of supervised release were continued. (Dkt. 68.)

14 In an application dated June 27, 2006 (Dkt. 69), U.S. Probation Officer Steven R.
15 Gregoryk alleged the following violations of the conditions of supervised release:

- 16 1. Failing to report to the probation office as instructed on June 20, 2006 and June
17 26, 2006, in violation of standard condition No. 2.
- 18 2. Failing to attend, actively participate in, and make reasonable progress in all
19 individual and group sessions as part of his sexual offender treatment program, in violation of the
20 special condition of supervision requiring the defendant to participate in a sexual offender
21 treatment program.

22 Defendant was advised in full as to those charges and as to his constitutional rights.

01 Defendant admitted the alleged violations and waived any evidentiary hearing as to
02 whether they occurred. (Dkt. 74.)

03 I therefore recommend the Court find defendant violated his supervised release as alleged,
04 and that the Court conduct a hearing limited to the issue of disposition. The next hearing will be
05 set before Judge Coughenour.

06 Pending a final determination by the Court, defendant has been detained.

07 DATED this 4th day of May, 2007.

08 
09 Mary Alice Theiler
10 United States Magistrate Judge
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12 cc: District Judge: Honorable John C. Coughenour
13 AUSA: Susan M. Roe
14 Defendant's attorney: Carol A. Koller
15 Probation officer: Steven R. Gregoryk
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